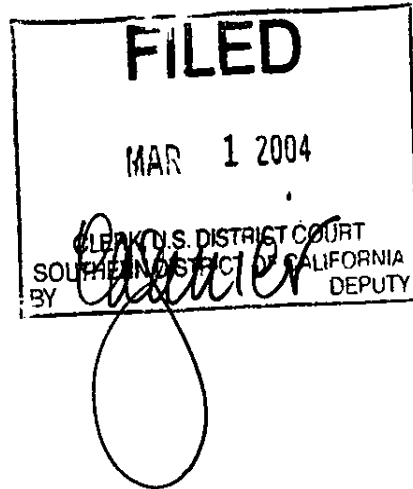


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3:01-CV-00763 MILLS V. MILLER  
\*246\*  
\*JGM.\*



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JOHN T. MILLS, et al.,

Plaintiffs

vs.

SALIHA MILLER, BURKE HOVDE,  
THIRD EYE SYSTEMS, LLC, and  
THIRD EYE SYSTEMS HOLDINGS,  
INC.,

Defendants,

And all related Counter-claims.

CASE NO. 01cv0763-DMS(JMA)

**ORDER OF JUDGMENT**

Trial Date: February 9, 2004

The above case came on regularly for trial on February 9, 2004. The Honorable Dana M. Sabraw presided over the case without a jury, a jury trial having been waived by the parties. Pursuant to Local Civil Rule 52.1(c) and Federal Rule of Civil Procedure 58, this Court now issues a final Order of Judgment. For the reasons discussed in the Court's Findings of Fact and Conclusions of Law, Judgment shall be entered as follows:

1. Plaintiffs' claim for rescission of the sales of the units of Third Eye Systems, LLC, is **GRANTED** as to all Plaintiffs except Plaintiff/Counter-defendant John T. Mills.

///

ENTERED ON 3-2-04 01cv0763

246<sup>1</sup>

1           2.       Upon the tender of the Third Eye units to Defendants/Counter-claimants, all  
2 Plaintiffs (except John T. Mills) are entitled to their out-of-pocket cost of the units, together  
3 with interest at eight percent per annum from the date of payment, costs, and reasonable  
4 attorney's fees. Within thirty (30) days of the date this Order is stamped: "Filed," Plaintiffs  
5 shall serve and file with the Court an amount of damages Plaintiffs believe to comport with  
6 the Court's opinion. The parties shall proceed as described in Local Civil Rule 52.1(b)  
7 regarding the computation of judgment.

8           2.       Plaintiff/Counter-defendant John T. Mills's claim for rescission of the sale of the  
9 Third Eye units is **DENIED**.

10          3.       The Counter-claims against Plaintiff/Counter-defendant John T. Mills are  
11 **DENIED**.

12           **IT IS SO ORDERED.**

13 Dated: 2-27-04

  
**DANA M. SABRAW**  
United States District Judge

14 cc:     Judge Adler  
15         All Parties  
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